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PTO/SB/05 (12/97)
Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.63(b))

Attorney Docket No. 980072

Total Pages 2

First Named Inventor or Application Identifier

Ren Judkins

Express Mail Label No. EM203499395US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 32]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 5]
4. Oath or Declaration [Total Pages 2]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a
copy of the oath or declaration is supplied under Box 4b,
is considered as being part of the disclosure of the
accompanying application and is hereby incorporated by
reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure
Statement (IDS)/PTO-1449 ☐ Copies of IDS
Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☐ Small Entity ☐ Statement filed in prior application,
Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: Request for Interference
Declaration of Ren Judkins
Declaration of Lynn J. Alstadt

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 08 / 756,282 and

18. CORRESPONDENCE ADDRESS Patent No. 5,630,898

☐ Customer Number or Bar Code Label

or ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	Lynn J. Alstadt		
	Buchanan Ingersoll, P.C.		
ADDRESS	One Oxford Centre		
	301 Grant Street, 20th Floor		
CITY	Pittsburgh	STATE	PA
		ZIP CODE	15219
COUNTRY	USA	TELEPHONE	412-562-1632
		FAX	412-562-1041

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<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <p style="font-size: small; margin: 5px 0;">Note: Effective October 1, 1997. Patent fees are subject to annual revision.</p>	<p>Complete If Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td></td></tr> <tr><td>Filing Date</td><td></td></tr> <tr><td>First Named Inventor</td><td>Ren Judkins</td></tr> <tr><td>Group Art Unit</td><td></td></tr> <tr><td>Examiner Name</td><td></td></tr> <tr><td>Attorney Docket Number</td><td>980072</td></tr> </table>	Application Number		Filing Date		First Named Inventor	Ren Judkins	Group Art Unit		Examiner Name		Attorney Docket Number	980072
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TOTAL AMOUNT OF PAYMENT	(\$ 2,706.00)												

<p>METHOD OF PAYMENT (check one)</p> <p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 02-4553</p> <p>Deposit Account Name: Buchanan Ingersoll</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p> <p>FEE CALCULATION</p> <p>1. FILING FEE</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101 790</td><td>201 395</td><td>Utility filing fee</td><td>790</td></tr> <tr><td>106 330</td><td>206 165</td><td>Design filing fee</td><td></td></tr> <tr><td>107 540</td><td>207 270</td><td>Plant filing fee</td><td></td></tr> <tr><td>108 790</td><td>208 395</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114 150</td><td>214 75</td><td>Provisional filing fee</td><td></td></tr> <tr><td colspan="3" style="text-align: right;">SUBTOTAL (1)</td><td>(\$ 790.00)</td></tr> </tbody> </table> <p>2. 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SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Lynn J. Alstadt	Reg. Number	29,362
Signature		Date	2/2/98
		Deposit Account User ID	02-4553

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02/02/98



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37 CFR 1.10 - SEPARATE PAPER

ATTORNEY'S DOCKET NO.

980072

IN RE APPLICATION OF

Ren Judkins

SERIAL NUMBER

FILED

FOR

PLEATED AND CELLULAR MATERIALS

GRP. ART UNIT

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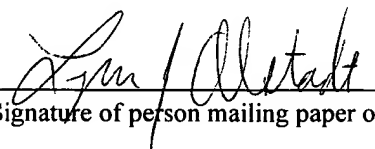
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Lynn J. Alstadt

(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

#3

PATENT

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PLEATED AND CELLULAR MATERIALS

Store:
Interference
5-13-98

Serial No.: Unassigned; continuation-
in-part of Serial No. 08/756,282,
filed November 25, 1996

Filed: Herewith

[illegible]

Pittsburgh, Pennsylvania 15219

February 2, 1998

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Request for Interference

Pursuant to 37 C.F.R. § 1.607, applicant respectfully requests that the Office declare an interference between the present application and United States Patent Nos., 5,692,550 and 5,701,940.

The claims of this application copy all of the claims in United States Patent Nos. 5,692,550 and 5,701,940. Applicant's claims 1 through 34 are the same as claims 1 through 34 of the '940 patent. Applicant's claims 35 through 81 correspond to and are presented in the same order as claims 1 through ⁴⁷~~37~~ of the '550 patent.

BY

This application is a continuation-in-part of United States Patent Application Serial No. 08/756,282, filed November 25, 1996. This application presents drawings, namely Figures 6 through 10, that are not presented in the parent application. Figures 6 and 7 show the tabbed cellular material attached between a headrail and a bottomrail with lift cords passing through the cellular material.

In the parent '282 application applicant amended his pending claims to copy claims from the '550 patent and the '940 patent which relate to tabbed cellular material that is not connected between a headrail and a bottomrail. To the extent that these claims are entered and found allowable in the parent application, applicant is willing to cancel them from this application.

Suggestion of Proposed Counts

Applicant suggests that the interference address counts corresponding to each of the independent claims. They are claims 1, 11, 12, 18, 25, 34, 35, 44, 58 and 81.

Basis upon which applicant is entitled to a judgment relative to the patentee

Submitted herewith are copies of a declaration of the applicant and a declaration of his counsel, Lynn J. Alstadt, filed by in the parent '282 application. Applicant's declaration alleges inventorship prior to the effective filing date of the '550 patent and the '940 patent which is March 10, 1994. Attached to both declarations is a drawing dated February 25, 1991, which shows all elements of the tabbed cellular material in the counts. Mr. Alstadt's declaration corroborates the drawing, reduction to practice and diligence. This evidence prima facie demonstrates that applicant is entitled to judgment on priority.

Conclusion

Since applicant has established that he is prima facie entitled to a judgment relative to the patentees of the '550 patent and the '940 patent, declaration of an interference is respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL, P.C.

By Lynn J. Alstadt
Lynn J. Alstadt
Registration No. 29,362

Attorneys for Applicant

(412) 562-1632

n